



## MONTGOMERY COUNTY ETHICS COMMISSION

Kenita V. Barrow  
*Chair*

Mark L. Greenblatt  
*Vice Chair*

**September 16, 2015**

**Waiver 15-09-015**

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Nancy A. Caruso is a registered nurse/school community health nurse with School Health Services in the Department of Health and Human Services (DHHS). She requests a waiver of the prohibition of § 19A-12(b)(1)(B) so that she can be employed by the Shady Grove Adventist Hospital/Maternal Child Health Education Department.

DHHS contracts with Shady Grove Adventist Hospital for community outreach in mental health counseling, tobacco cessation, and nicotine replacement, mammography screening, and maternity partnership involving obstetric care in a clinical setting.

Ms. Caruso's employment with Adventist will be with the maternal child community education department. Her position is maternity tour guide and she will teach children ages 3 to 8 years of age who are going to become siblings. She also meets with adults who are becoming first time parents. There are no supervisory responsibilities. The maternal child community education program is unrelated to the DHHS contract.

Ms. Caruso's responsibilities in her County position involve providing nursing services, case management, coordination of care, emergency nursing, and crisis intervention. Her current placement is at Watkins Mill High School. There is no relation between her County position and the contract between the County and Shady Grove Adventist Hospital.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b). The waiver is conditioned on Ms. Caruso making no referrals of persons

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to her outside employer while she is carrying out official duties for the County. Also, Ms. Caruso may not provide services for her outside employer to a person she knows to be a client of DHHS.

In reaching this decision, the Commission has relied upon the facts as presented by Ms. Caruso.

For the Commission:



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Kenita V. Barrow